

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRAVIS WADE HISEY,

Defendant.

8:02CR187

ORDER

Defendant Travis Wade Hisey appeared before the court on Monday, February 6, 2012 on a Petition for Offender Under Supervision [25] and an Amended Petition for Offender Under Supervision [31]. The defendant was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Government's oral motion to dismiss the Petition for Offender Under Supervision [25] was granted. Through his counsel, the defendant waived his right to a probable cause hearing on the Amended Petition for Offender Under Supervision [31] pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Judge Bataillon.

The government moved for detention. A detention hearing was held. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk or danger to the community, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Joseph F. Bataillon in Courtroom No.3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **February 17, 2012 at 3:00 p.m.** Defendant must be present in person.

2 The defendant, Travis Wade Hisey, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 6th day of February, 2012.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge